

151

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10748,053

Filing Date

30 December 2003

First Named Inventor

Glenn Hamasaki, Jr.

Group Art Unit

2631

Examiner Name

Unassigned

Attorney Docket Number

14317US02

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> PTO 1449/08A with 47 US, 4 Foreign, 5 Other Art references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) ( sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return-Receipt Postcard <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		



PATENT  
Attorney Docket No. 14317US02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Glenn Hamasaki, Jr.

Serial No.: 10/748,053

Filed: 30 December 2003

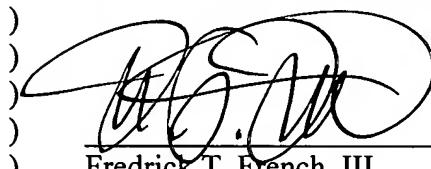
For: MANAGEMENT OF SERVICE  
COMPONENTS INSTALLED IN AN  
ELECTRONIC DEVICE IN A MOBILE  
SERVICES NETWORK

Examiner: Unassigned

Group Art Unit: 2631

) **CERTIFICATE OF MAILING**

) I hereby certify that this correspondence is  
being deposited with the United States  
Postal Service as first-class mail, postage  
prepaid, in an envelope addressed to: Mail  
Stop Amendment, Commissioner for  
Patents, P.O. Box 1450, Alexandria, VA  
22313-1450 on 11 November 2004.



) \_\_\_\_\_  
Fredrick T. French, III

) Reg. No. 52,524

**TRANSMITTAL OF  
INFORMATION DISCLOSURE STATEMENT  
AFTER APPLICATION FILING DATE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**ENCLOSURES**

Enclosed are the following:

- \* A two-page, completed PTO form 1449.
- \* The enclosed PTO form 1449 lists 47 references not previously provided to or by the PTO in this application. Copies of the four foreign references listed thereon are enclosed herewith.
- \* Each of the five "other art" references are listed in the enclosed form 1449. Copies are enclosed herewith.

## **FEE DETERMINATION**

- \* No fee is believed to be due because:
  - \* This statement and enclosures are being filed three months or less after the application was filed.
  - \* The applicant(s) believe(s) that this statement and enclosures are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

## **FEE PAYMENT**

The following arrangements have been made to pay the fees calculated above:

- \* No fee is believed to be due.

The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

## **REMARKS**

The Applicants neither agree nor disagree with the following notations that accompanied the references listed below in a prior art search performed by Augustine Associates, Ltd., 2981 Fox Tail Court, Woodbridge, VA 22192, dated April 22, 2003:

2003/0061384	“para (0015)”
2003/0037075	“para (0166)”
2003/0033599	“wireless software download, see (0039)”
2002/0157090	“update software, Claim 17”
2002/0152005	“wireless link upgrade”
2002/0131404	“can be used with games (0004)”
2002/0116261	“update software (0058)”
2001/0029178	“Claim 1, upgrade”
6,438,585	“mobile link”
6,279,153	“ROM update on wireless link abstract (170 page patent – front page and claims only provided here)”
6,198,946	“wireless upgrade”
6,163,274	“real-time update”

6,126,327	"flash update (265 page patent – front page and claims only provided here)"
5,790,974	"‘perceptual’ software agent that updates stored entries"
5,261,055	"wireless upgrade"
5,598,534	"PDA link system"
5,666,293	"loaded into non-volatile[sic] memory. Claims 2 and 3, game system"

## REQUEST FOR CONSIDERATION

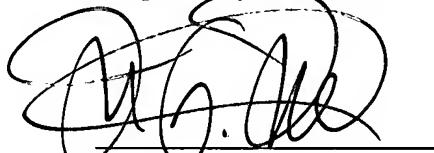
This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

This submission is in no way intended as an admission that the cited references constitute prior art under any subsection of 35 U.S.C. § 102. Applicants expressly retain the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial a copy of the enclosed PTO-1449 and return to the applicants to indicate consideration of the enclosed references.

Dated: 11 November 2004

Respectfully submitted,



Fredrick T. French, III  
Reg. No. 52,524  
Agent for Applicants

McAndrews, Held & Malloy, Ltd.  
34th Floor  
500 West Madison Street  
Chicago, IL 60661  
(312) 775-8000



FORM PTO-1449	SERIAL NO. 10/748,053	CASE NO. 14317US02
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		FILING DATE 30 December 2003
Page 1 of 2		APPLICANT(S): Glenn Hamasaki, Jr.

REFERENCE DESIGNATION		U.S. PATENT DOCUMENTS		
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS
	5,261,055	11/09/1993	Moran et al.	395/275
	5,442,771	08/15/1995	Filepp et al.	395/650
	5,479,637	12/26/1995	Lisimaque et al.	395/430
	5,579,522	11/26/1996	Christeson et al.	395/652
	5,596,738	01/21/1997	Pope	395/430
	5,598,534	01/28/1997	Haas	395/200.09
	5,608,910	03/04/1997	Shimakura	395/670
	5,623,604	04/22/1997	Russell et al.	395/200.1
	5,666,293	09/09/1997	Metz et al.	395/200.5
	5,752,039	05/12/1998	Tanimura	395/712
	5,778,440	07/07/1998	Yiu et al.	711/154
	5,790,974	08/04/1998	Tognazzini	701/204
	5,878,256	03/02/1999	Bealkowski et al.	395/652
	5,960,445	09/28/1999	Tamori et al.	707/203
	6,009,497	12/28/1999	Wells et al.	711/103
	6,038,636	03/14/2000	Brown, III et al.	711/103
	6,064,814	05/16/2000	Capriles et al.	395/701
	6,073,206	06/06/2000	Piwonka et al.	711/102
	6,073,214	06/06/2000	Fawcett	711/133
	6,088,759	07/11/2000	Hasbun et al.	711/103
	6,105,063	08/15/2000	Hayes, Jr.	709/223
	6,112,024	08/29/2000	Almond et al.	395/703
	6,112,197	08/29/2000	Chatterjee et al.	707/3
	6,126,327	10/03/2000	Bi et al.	395/200.51
	6,128,695	10/03/2000	Estakhri et al.	711/103
	6,157,559	12/05/2000	Yoo	365/52
	6,163,274	12/19/2000	Lindgren	340/825.44
	6,198,946	03/06/2001	Shin et al.	455/561
	6,279,153	08/21/2001	Bi et al.	717/11
	6,311,322	10/30/2001	Ikeda et al.	717/1
	6,438,585	08/20/2002	Mousseau et al.	709/206
	2001/0029178	10/11/2001	Criss et al.	455/419
	2001/0047363	11/29/2001	Peng	707/104.1
	2001/0048728	12/06/2001	Peng	375/354

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609;  
Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

NOV 15 2004

Page 2 of 3

FORM PTO-1449 <i>JCT151 PATENT &amp; TRADEMARK OFFICE</i>	SERIAL NO. 10/748,053	CASE NO. 14317US02
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE 30 December 2003	GROUP ART UNIT 2631
Page 2 of 2	APPLICANT(S): Glenn Hamasaki, Jr.	

**REFERENCE DESIGNATION                    U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	2002/0078209	06/20/2002	Peng	709/227	12/15/2000
	2002/0116261	08/22/2002	Moskowitz et al.	705/14	02/20/2001
	2002/0131404	09/19/2002	Mehta et al.	370/352	11/28/2001
	2002/0152005	10/17/2002	Bagnordi	700/234	04/12/2001
	2002/0156863	10/24/2002	Peng	709/217	04/23/2001
	2002/0157090	10/24/2002	Anton, Jr.	717/178	04/20/2001
	2003/0033599	02/13/2003	Rajaram et al.	717/173	08/10/2001
	2003/0037075	02/20/2003	Hannigan et al.	707/500	05/02/2002
	2003/0061384	08/27/2003	Nakatani	709/245	09/25/2001

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES X NO
	8202626	08/09/1996	Japan		X
	2,339,923	03/02/2000	Canada		
	2002-0034228	05/09/2000	Korea		X
	2001-0100328	11/14/2001	Korea		X

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)
	"Focus on OpenView A guide to Hewlett-Packard's Network and Systems Management Platform", Nathan J. Muller, pages 1-291, CBM Books, published 1995.
	"Client Server computing in mobile environments", J. Jing et al, ACM Computing Surveys, Vol. 31, Issue 2, pages 117-159, ACM Press, July, 1999.
	"ESW4: enhanced scheme for WWW computing in wireless communication environments", S. Hadjiefthymiades, et al, ACM SIGCOMM Computer Communication Review, Vol. 29, Issue 5, pages 24-35, ACM Press, October, 1999.
	"Introducing quality-of-service and traffic classes in wireless mobile networks", J. Sevanto, et al, Proceedings of the 1 <sup>st</sup> ACM international workshop on Wireless mobile multimedia, pages 21-29, ACM Press, 1998.
	"Any Network, Any Terminal, Anywhere", A. Fasbender et al, IEEE Personal Communications, April 1999, pages 22-30, IEEE Press, 1999.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609;  
 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Rev. Feb.-97

J:\OPEN\fln1917-BITFONE CORP\14317US02 (101USMD27) MANAGEMENT OF SERVICE COMPONENTS INSTALLED IN AN ELECTRONIC DEVICE IN A MOBILE SERVICES NETWORK\14317US02 Form 1449.doc